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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,455	03/19/2004	Lloyd R. Camp	06556-0050-00	7281
22852	7590	09/30/2008		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413				
EXAMINER McCORMICK, GABRIELLE A				
ART UNIT		PAPER NUMBER		
3629				
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09/30/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/804,455

**Applicant(s)**

CAMP ET AL.

**Examiner**

Gabrielle McCormick

**Art Unit**

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Status of Claims*

1. This action is in reply to the amendment filed on August 7, 2008.
2. Claims 1, 6 and 13 have been amended.
3. Claims 1-24 are currently pending and have been examined.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-9, 12-21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunham et al. (US Pub. No. 2002/0013716, hereafter referred to as "Dunham") in view of Schwartz (US Pub. No. 2003/0037063).
6. **Claims 1 and 13:** Dunham discloses the method and system (P[0040] and Fig. 1):
  - *receiving child update information on the child, the child update information including reporter information and child status information; (P[0052]: user name, login name, password and contact information; P[0062-0063]: users can update information specific to a client; P[0044]: system can be used for child welfare systems, thus a client is a child and data relating to the wellness of a child is collected and evaluated).*
  - *storing the child update information in a central database; (P[0040])*
  - *monitoring wellness of the child based on child status information (P[0013]: plan of care is monitored and evaluated; P[0062]: users enter update information specific to the client)*

- *providing a report based on the stored child update information and the wellness of the child.*  
(P[0091] and P[0044]: system can be used for child welfare systems, thus a client is a child and data relating to the wellness of a child is collected and evaluated.)
7. Dunham does not explicitly disclose determining whether abuse or neglect has occurred.
  8. Schwartz, however, discloses assessing the risk for abuse or neglect. (P[0004]; P[0046] and P[0050]).
  9. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included determining whether abuse or neglect has occurred, as disclosed by Schwartz, in the system of Dunham\* for the motivation of ensuring that a plan of care with respect to its use for child welfare systems (Dunham; P[0044]) includes tracking information that specifically impacts the well being of a child. It is obvious that Dunham's system would involve tracking information that indicates potential child abuse or neglect in order to ensure that the system provides the most effective outcomes for clients in need of care. (Dunham; P[0022]).
  10. **Claims 2 and 14:** Dunham discloses a PIN (P[0052]: user login name and password) and a case number (P[0072]).
  11. **Claims 3 and 15:** Dunham discloses status and environment information about a child (P[0072]: current living situation, legal status, employment status and school placement and P[0087]: behaviors, school performance).
  12. **Claims 4 and 16:** Dunham discloses a date (P[0086]: "the day the service was provided" is part of the progress note update information.)
  13. Dunham does not explicitly disclose a time, however, it is obvious that data entries into a database are logged by time and date so as to allow the "tickler list" described in P[0061] to appropriately function. It is also obvious to expand Dunham to include a time of an entry as it is possible for numerous entries to be made in a given day, thus a time allows a further refinement of tracking the input of data.
  14. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a timed entry in the system disclosed by Dunham, for the motivation

of providing a method of ordering data entries chronologically and providing the ticker list with the ability to send notifications due based on timed entries.

15. **Claims 5, 6, 8, 17, 18 and 20:** Dunham discloses a "tickler list" (P[0061]) that generates reminders and reports (i.e., alerts) that indicate action items are overdue and in P[0087], performance indicators are taken at every defined time duration for tracking purposes (thus updating the child's information). Dunham does not explicitly disclose that the ticker list will function to provide alerts when the performance update is due, however it is obvious for the tickler list to be programmed to do so. Dunham discloses that the tickler list generates reminders for action items that need to be completed, therefore, it is obvious to include the update to the performance indicators as a tickler item.
16. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included a tickler for performance indicator updating, in the system of Dunham for the motivation of providing timely updating to a client's (i.e., child's) file to ensure that performance indicators are tracking the most currently available data. Dunham would be motivated to expand its system to ensure that a crisis plan can be developed in a timely fashion to address situations that require immediate attention. (P[0076]).
17. **Claims 7 and 19:** Dunham does not explicitly disclose sending an alert to a foster parent or group home if the child update information is not received within a predetermined period of time.
18. Schwartz, however, discloses scheduled checkpoints for updating the system input that include periodic mandatory client access can be preprogrammed into the system software via prompts (i.e., an alert). (P[0082]). Schwartz also discloses that a client can be either a primary or a secondary client where the secondary client includes "the primary client's parents, individuals living with the primary client...". Thus, it is inherent that either a foster parent or a responsible party from a group home are "individuals living with the primary client" and are thus secondary clients.
19. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included sending alerts to foster parents or group homes, as disclosed by Schwartz, in

the system of Dunham for the motivation of providing timely updating to a client's (i.e., child's) file to ensure that performance indicators are tracking the most currently available data. Dunham would be motivated to expand its system to ensure that a crisis plan can be developed in a timely fashion to address situations that require immediate attention. (P[0076]). Schwartz discloses that "regular checkpoints scheduled...at predetermined intervals" to update the primary client's risk assessment are performed. (Schwartz; P[0074]). This allows the ability to monitor whether a client is eligible for removal from the system. (Schwartz; P[0103]).

20. **Claims 9 and 21:** Dunham discloses processing payments (P[0094]).
21. **Claims 12 and 24:** Dunham does not disclose receiving information via *an interactive voice response system*.
22. Schwartz, however, discloses that server access may also be allowed telephonically using automated menu driven methods and systems. (P[0108]).
23. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included an interactive voice response system, as disclosed by Schwartz, in the system of Dunham for the motivation of providing alternative access to clients that do not have internet access for inputting data.
24. **Claims 10, 11, 22 and 23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunham et al. (US Pub. No. 2002/0013716, hereafter referred to as "Dunham") in view of Schwartz (US Pub. No. 2003/0037063) in further view of Basile et al. (US Pat. No. 6,042,005, hereafter referred to as "Basile").
25. **Claims 10, 11, 22 and 23:** Dunham/Schwartz discloses the method/system of claims 1 and 13 but does not disclose providing or scanning a case identification card.
26. Basile, however, discloses a child identification card that is used to obtain the child's personal information. (C4; L1-4). The card contains a microchip that is read in order to display the child's information. (C4; L39-46).

27. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included an identification card, as disclosed by Basile, in the system of Dunham for the motivation of providing a third party, such as hospitals, police, EMS, doctors, schools and insurance companies with can access personal and medical information electronically when a child is involved in an accident, medical trauma or abduction. (Basile; C4; L28-46).

### ***Response to Arguments***

28. Applicant's arguments with respect to claims 1 and 13 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabrielle McCormick whose telephone number is (571)270-1828. The examiner can normally be reached on Monday - Thursday (5:30 - 4:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. M./  
Examiner, Art Unit 3629

/John G. Weiss/  
Supervisory Patent Examiner, Art Unit 3629